

Town of Brighton
Development Review Board
Minutes of Hearing Held April 8, 2021

Re: Michael Hatin

Application No. 02-21

A public hearing pursuant to Section 505 (Site Plan Review) as it relates to Section 210(1) Village District, of the Town of Brighton Zoning Bylaws was held April 8, 2021 on the above entitled application for a Site Plan Review for a permit as filed by Michael Hatin. The proposed change of use is for a business/store front at the commercial property at 24 Main St., Island Pond, Vermont.

Due notice of said hearing was provided to the following adjacent property owners:

Town of Brighton
Andre Masse/Simon the Tanner
Basil Properties
R & M Holdings (Kingdom Market)
Brighton Garage, Inc.

Notices were mailed by Certified Return Receipt on March 25, 2021.

Public Notice was posted in three locations in town, namely, the Town Clerk's Office, and the bulletin boards outside the Island Pond Post Office and the Railroad Depot Building. It was also published in the Caledonian Record.

A site visit was held at subject property on April 8, 2021 at 2:45 p.m., with board members Pete Pedersen, Alan Wing, Stacey Roese, Mike Clarke and Margaret Muraca (Clerk). Michael Hatin, the applicant, was present. Business partner, Eric Stebenne was also present.

At the site, Mike Hatin and Eric Stebenne , explained their intentions; to establish a retail business-Hemp Derived Products Sales in the former restaurant space. They shared the renovated space with the membership. The existence of appropriate parking and lighting were noted. They stated that the current sign would be appropriately changed to reflect the business, however the size would remain the same. It was noted that the size is approximately 4ft X 6ft

The public hearing was called to order at 3:00 p.m. by Pete Pedersen, Chair, with all the above

named board members present. Michael Hatin, (the applicant) was present. Eric Stebenne, business partner, was also present.

The chair read the warning that was publicly posted.

It was noted that the application was dated February 18, 2021 and referred to this Board on March 15, 2021, by the Zoning Administrator for a site plan review.

Michael Hatin and Eric Stebenne, were sworn in by Pete Pedersen.

It was noted that there were no Public or Abutters in attendance.

S505 Site Plan Review:

No zoning permit shall be issued by the Zoning Administrator for any use or structure except for one and two unit dwellings until the Development Review Board Grants site plan approval after public notice and hearing and in accordance with 24 V.S.A. s4416. In reviewing site plans, the Development Review Board may impose appropriate safeguards with respect to the following:

- A. The adequacy of parking
- B. Traffic access and circulation for pedestrians and vehicles
- C. Landscaping and screening
- D. The protection of the utilization of renewable energy resources
- E. Exterior Lighting
- F. The size, location, and design of signs
- G. Erosion and sedimentation control
- H. Snow removal

The applicant verified for the Board members the intention to convert the former restaurant space into a retail business-Hemp Derived Products Sales. The current outside light fixtures (automated to be on from dusk til dawn) will remain and the existing signage will be changed to reflect the business, however will remain the same size (approx 4ft by 6 ft). The site plan review specifications were reviewed as they related to the proposed commercial space. Parking appears adequate; and traffic access as well as circulation for pedestrians and vehicles. All attendees were given the opportunity to make comment and /or ask questions.

The applicant, was then excused and the deliberative session was called to order. A review of Section 505 Site Plan Review; verified the adequacy of parking, traffic access, landscaping, protection of renewable energy resources, exterior lighting, signage, erosion control, and snow removal. It was noted that the proposed use is listed as 'permitted' in the 210(1) Village District. Alan Wing made a motion to approve the request for a change of use to this commercial property; seconded by Stacey Roesse. The board voted unanimously to approve the request.

The meeting was adjourned at 3:10 p.m.

Dated at Brighton(Island Pond), Vermont this 8th day of April 2021.

A handwritten signature in cursive script that reads "Margaret Muraca". The signature is written in black ink and is positioned above a horizontal line.

Margaret Muraca, Clerk
Development Review Board
Town of Brighton

cc: Pete Pedersen
Michael Hatin, Applicant
Town of Brighton, Clerks Office
Joel Cope, Town Administrator/Zoning Administrator

Findings of Facts

The following facts were found at the public hearing held April 8, 2021.

1. The hearing was called to order by the Chair at 3:00 p.m. and it was noted that the site visit was made by the Board Members and others as previously named.
2. The warning was read by the Chair.
3. Michael Hatin and Eric Stebenne were sworn in by Pete Pedersen, Chair. The Chair asked Board Members if they had any concerns.
4. Requirements found in Sec 505 of the Town of Brighton Zoning Bylaws relative to the proposed changes use were discussed. The Development Review Board may render a decision in favor of the appellant only if all of the delineated facts are found and the findings are specified in its written decision (see previously stated Sec 505 facts).

The Board determined that the site plan/application submitted meets all of the requirements. As such, the Board finds that no additional requirements are needed as long as the use does not exceed/change as is stated in the application.

Conclusion of the Law

The following conclusions were determined from the public hearing held on April 8, 2021:

Per the town's Zoning map the subject property is located in the "Village" District in Sec. 210(1) of the Zoning Bylaws. The proposed use is permitted in this district. Further, Sec. 505 of the Zoning Bylaws provided the safeguards the Board is to take into consideration when reviewing site plans and the Board finds that all issues specified therein have been adequately addressed by the applicant.

Deliberative Session

The deliberative session followed the public meeting with the same board members in attendance.

Following discussion of the applicants' request for a Site Plan Review the following motion was made :

Alan Wing made the motion to approve the site plan, for a change of use (permitted), subject to criteria under Section 505, of the Zoning Bylaws. Stacey Roesse seconded the motion. The Board voted unanimously to approve the request.

The deliberative session closed at 3:10 p.m.

Dated at Brighton(Island Pond), Vermont this 8th day of April 2021.



Margaret Muraca, Clerk
Development Review Board
Town of Brighton

cc: Michael Hatin, Applicant
Pete Pedersen, Chair DRB
Town of Brighton, Clerks Office
Joel Cope, Town Administrator, ZA

**Town of Brighton
Development Review Board**

RE: Michael Hatin
43 Pleasant St., Newport Vt. 05855
Application # 02-21

Decision

A public hearing pursuant to Section 505 of the Town of Brighton Zoning Bylaws was held April 8, 2021 on the above entitled application for a Site Plan Review/Zoning permit as filed by Michael Hatin for a change of use at a commercial building at 24 Main St., Island Pond, Vermont.

Notice of said hearing was provided to the following adjacent property owners identified by the applicant:

Town of Brighton
Andre Masse/Simon the Tanner
Basil Properties
R & M Holdings(Kingdom Market)
Brighton Garage, Inc.

Notices were mailed by Certified Return Receipt on March 25, 2021. Public notice of said hearing was posted in three locations in town, namely the Town Clerk's Office, bulletin boards outside the Island Pond Post Office and the Railroad Depot Building; and published in the Caledonian Record.

A site visit on April 8, 2021 preceded the public hearing. Board members who visited the site were Pete Pedersen, Alan Wing, Stacey Roese, Mike Clarke and Margaret Muraca(clerk). Also present were Michael Hatin(applicant) and business partner Eric Stebenne.

The public hearing followed the site visit with the above named board members in attendance, as well as Michael Hatin and Eric Stebenne. In a unanimous vote the Development Review Board Members:

Pete Pedersen
Alan Wing
Stacey Roese
Mike Clarke
Margaret Muraca

voted to APPROVE the site Plan concerning the property located at 24 Main St., Island Pond, Vermont provided the conditions stated previously are met.

Appeal Rights

If you should disagree with the Board's Decision, you may appeal to the Environmental Court. Such appeal must be made within thirty(30) days of the date of the decision. Failure to appeal within this thirty (30) day period will result in the loss of your appeal rights and this Decision shall be considered final.

Dated at Brighton (Island Pond) Vermont this 8th day of April 2021.

A handwritten signature in cursive script, reading "Margaret Muraca", is written over a horizontal line.

Margaret Muraca, Clerk
Development Review Board

cc: Michael Hatin, Applicant
Pete Pedersen, Chair, DRB
Town of Brighton, Clerks Office
Joel Cope, Town Administrator